

APPROVED: Meeting No. 26-96

ATTEST:

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 18-96

April 22, 1996

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on April 22, 1996, at 7:34 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Mayor Krasnow extended a special welcome to Cub Scout Pack No. 1975, Den #5 visiting from St. Elizabeth's School. The Cubs were accompanied by their Scout Leader Betsy Galginaitis.

Re: City Manager's Report

1. Last year, a young resident, Kelly Owens, brought to the Mayor and Council's attention the fact that the City's girl's softball teams, unlike the boy's baseball teams, had no playing uniforms. Mr. Kuckkahn said he was happy to report that as a result of that request, all thirty teams in the Girl's Softball League now had uniforms which also include baseball caps.

2. Rockville Baseball Association Opening Day was held April 13 at Dogwood Park. United States Soldier Martin Begosh (who was injured in Bosnia) was honored along with his family. Members of the Mayor and Council delivered opening pitches to RBBA players in the various age categories. Mr. Kuckkahn said that the City was proud of its association with RBBA and was looking forward to the possibility of establishing a fall league.

3. The Recreation and Parks Department held its seventh annual trout fishing tournament on April 20 at Watts Branch Stream in Woottons Mill Park. Approximately 450 people participated in the event which was co-sponsored by American Legion Post No. 86. Forty-eight rainbow trout were caught; the largest fish caught this year was by 15-year old Rick Yoskowvitch who captured an 18 3/4 inches long rainbow trout weighing 2 pounds and 10 ounces.

4. A bikeway study planning meeting is scheduled for April 29 at the Rockville Senior Center; the community is encouraged to attend and participate.

5. On April 21, the City held its Annual March for Parks on the Woodland Trail at Civic Center Park. Residents walked the trail in support of park programs throughout the country. Proceeds from the event support park enhancement and maintenance programs and an estimated 125 marchers participated in the event which raised over \$850.

6. The City and the Rockville Chamber of Commerce are accepting

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nominations for the second annual Excellence In Landscape Awards Program. The program serves as a challenge to landscapers throughout the community to beautify their surroundings and it recognizes those businesses that use a high level of landscaping. The deadline for entries is 5 p.m., August 1, 1996.

7. On April 13, the Mayor and Council held another successful Walking Town Meeting in the West End neighborhood. Approximately 50 residents joined the Mayor and Council and staff on the tour through Rose Hill Falls, Chestnut Lodge and the West End Historic District. Mr. Kuckkahn said that the third Walking Town Meeting was scheduled for residents in the Woodley Gardens and College Gardens neighborhoods on May 4.

4. The City's Recreation and Parks Department is seeking enthusiastic youth who are motivated and reliable and who enjoy working with children, to work in the City's summer camps and playgrounds. Interested persons are encouraged to apply by calling 309-3273 or by contacting the City's Personnel Department for further information.

5. The Middle Lane parking lot is scheduled to be resurfaced from April 29 to May 18, weather permitting. There will be no parking by permit or general parking during that period of time; however, alternate parking arrangements have been made for those who hold valid permits and persons should contact Bill Stevens at 309-3330.

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Re: Proclamation Declaring April 22-26, 1996 as **MUNICIPAL GOVERNMENT WEEK** in Rockville.

Proclamation No. 5-96

By a unanimous vote of the Mayor and Council, April 22-26, 1996 was declared "Municipal Government Week" in Rockville. Upon the request of the Mayor, Councilmember Dorsey read the Proclamation, the full text of which can be found in the Mayor and Council's 1996 Proclamation File. Bob Domergue, Principal of Robert Frost Middle School accepted the Proclamation. As part of Municipal Government Week, Councilmember Dorsey will lead the Frost School students in a mock Mayor and Council meeting at City Hall on April 25.

Re: Proclamation Declaring April 27, 1996 as **PEACEABLE PLAY DAY** in Rockville. Peaceable Play Day is part of The Lion & Lamb Project, an anti-violence campaign geared towards young children.

Proclamation No. 6-96

By a unanimous vote of the Mayor and Council, April 27, 1996 was declared "Peaceable Play Day" in Rockville. Mayor Krasnow read the Proclamation, the full text of which can be found in the Mayor and Council's 1996 Proclamation File. Copies of the Proclamation were presented to Gerald Johnson, Principal of Maryvale Elementary School and Daphne White, Executive Director of the Lion & Lamb Project.

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Re: Proclamation Recognizing April 23, 1996 as **NATIONAL YOUTH SERVICE DAY** in Rockville. Representatives from YOUth Reach, a program co-sponsored by the Youth, Family, and Community Services Division will accept the Proclamation.

Proclamation No. 7-96

By a unanimous vote of the Mayor and Council, April 23, 1996 was declared "National Youth Service Day" in Rockville. Upon the request of the Mayor, Councilmember Marrinan read the Proclamation, the full text of which can be found in the Mayor and Council's 1996 Proclamation File. The Proclamation was presented to Rockville's Youth, Family & Community Services Specialist Mandy Bendersky and Amanda Brodnax, representating YOUth Reach, a program co-sponsored by the Youth, Family, and Community Services Division.

Re: Proclamation recognizing the 7th Annual **ROCKVILLE SCIENCE DAY** on April 28, 1996.

Proclamation No. 8-96

By a unanimous vote of the Mayor and Council, April 28, 1996 was declared "Rockville Science Day" in Rockville. Upon the request of the Mayor, Councilmember Wright read the Proclamation, the full text of which can be found in the Mayor and Council's 1996 Proclamation File. A copy of the Proclamation was presented to Sheila

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Marshall, President, Rockville Consortium for Science, Inc.

Re: Presentation by Tournament  
Manager Lynn Kraft and Dave  
Pavelko on the Corel Champions  
Tennis event, May 8-13, 1996.

Ms. Kraft said the Corel Champions event was the inaugural Washington, D.C. event, and Rockville was the third spot on the champions tour and the premier tennis event for senior players. Ms. Kraft said that the outstanding player field included Jimmy Connors, Bjorn Borg, Guillermo Vilas, Jose Luis Clerc, and Manswear Burani, Johan Kriek, John Lloyd, Roscoe Tanner, Harold Solomon, Eddie Dibbs, and Mel Percel. The champions were competing for \$150,000 in prize money at Woodmont Country Club, May 8-13. Ms. Kraft outlined some of the highlights of the scheduled events for the week and extended an invitation to the Mayor and Council and Rockville residents to attend the event.

Re: Presentations from Montgomery  
County, Governor Glendening  
and the State, recognizing the F.  
Scott Fitzgerald Centennial  
Celebration in Rockville.

John Moser and Don Boebel, Co-Chairs of the F. Scott Fitzgerald Centennial Committee introduced the presenters of the following certificates which recognized the City on its Fitzgerald Centennial celebration. Senator Jennie Forehand remarked that she was the Chair of the former Bicentennial Commission that worked with Peerless Rockville in moving F. Scott's grave site from the Old Rockville Cemetery to St.

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Mary's Church Cemetery. Senator Forehand said that the area currently known as Veterans Park was originally the "F. Scott Fitzgerald Triangle," and she said she hoped that one of the activities to mark the centennial of Fitzgerald's birth would be to locate and name a new park on behalf of F. Scott Fitzgerald. Senator Forehand then presented a Proclamation from Governor Glendening extending congratulations to the City on its year-long community celebration. Delegate Kumar Barve presented a Resolution to the City from the Maryland House of Delegates and Speaker Casper Taylor. Senator Forehand, joined by Delegate Cheryl Kagan, also presented a Resolution from the Senate offering congratulations to the City.

Gail Ewing, President of the County Council, on behalf of the County Council presented a Proclamation commemorating the birth of F. Scott Fitzgerald. Ms. Ewing was accompanied by County Councilmember Bill Hanna. Chief Executive Officer Bruce Romer then presented a joint Proclamation from County Executive Doug Duncan and the County Council.

Mayor Krasnow commented on the fact that the City had a number of streets named after Fitzgerald. In response to Senator Forehand's comment about naming a park after the author, Mayor Krasnow said there had been some discussion about naming the new promenade that will access downtown, the "F. Scott Fitzgerald Promenade" in honor of Fitzgerald's contributions to Rockville.

Re: Presentation of Legislative Report by Senator Jennie Forehand, and District 17 Delegation, Michael Gordon, Kumar Barve, and Cheryl Kagan.

Presentation of the Legislative Report was postponed to a future meeting, pending the outcome of several issues in the Legislature and several bills awaiting action by Governor Glendening.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Nadine Mildice, 807 Carter Road said that Zelda Fitzgerald was credited with some of Fitzgerald's writings and she suggested that the name of any park should also include Zelda's name. Ms. Mildice said that she attended the City's Arbor Day celebration where she learned about Transco's plans to clear-cut trees in the City of Rockville. She said she was worried for the neighborhood and the children growing up in the City, and she questioned Transco's ethical and moral right to clear-cut and Transco's commitment to the community.

2. Judy Rosenthal, 882 College Parkway said she and her husband have resided on College Parkway for sixteen years, and they love the City's greenspace management and its wonderful wooded areas. They were greatly distressed over Transco's cutting of hundreds of trees in Rockville, particularly in the Plymouth Woods,



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College Parkway and Montgomery College neighborhoods. Ms. Rosenthal expressed concern about storm water management and sediment control once the trees were ripped from their moorings. She said it was distressing that Rockville was allowing the clearing and permitting Transco to sponsor the Arbor Day March for Parks event. Ms. Rosenthal suggested that the City redeem itself by taking a forceful stand, along with the communities still in negotiation with Transco. She also suggested that the City return the \$500 contribution Transco made to the Arbor Day celebration. Ms. Rosenthal asked whether an environmental impact study had been performed on the effects of what Transco was performing.

Councilmember Marrinan said he was very concerned and distressed about Transco's plans. When the Mayor and Council first heard of the plans, the City contacted citizens associations, the County, the State, and Federal Government to inquire what could be done. The issue was discussed with the City Attorney and many others to try and determine the legal and ethical responsibilities as well as the environmental impacts. Mr. Marrinan said discussions also took place with Transco to try and convince them that it did not make sense to perform such a clearing operation in an urban area, such as Rockville, as they were doing in rural areas from Texas to New York. Transco stressed to the City that the issue was a safety one and they raised the specter of the explosion which took place in New York a few years ago. Transco said they were motivated by the safety issue and they felt challenged to perform the clear cut of the right-of-way so that

residents would not be adversely impacted. Mr. Marrinan said that Transco had obviously not performed the clearing in a way that has satisfied everyone.

Councilmember Harrison explained that Transco was a major gas distribution company, owned by the Williams Companies of Tulsa, Oklahoma. Unlike other pipeline companies in the City, Transco has taken a "clear-cut" approach to the management of their pipeline right-of-way. From New York City to Houston, Texas, Transco decided to clear the full width of its right-of-way of all trees and most shrubs.

Mr. Harrison said that after 35 years of benign neglect, Transco adopted a "one-size fits all" policy for its right-of-way and under the policy, urban and rural areas were treated alike. Ornamental trees and shrubs were being clear cut through Rockville neighborhoods with no regard to whether they pose a threat to the pipeline or impair Transco's ability to visually inspect its right-of-way from the air. Mr. Harrison said he believed that Transco's policy was as straight forward as it was thoughtless. Instead of cooperating and working with neighborhoods that share the right-of-way to produce an attractive and safe pipeline right-of-way with landscaping, Transco took a unilateral approach that literally blighted many residents' yards. Mr. Harrison said that while Transco had a legal right to clear cut, no one was happy with what Transco was doing and he said he was not particularly happy that the City allowed Transco to become a sponsor of this year's Earth Day activities. He suggested that if Transco wanted to rebuild its image, he would prefer to see them work more closely with Plymouth Woods and other

neighborhoods in the City to produce an attractive right-of-way that was more respectful of nature. Mr. Harrison noted that Transco has a Web Page and he encouraged residents to send messages directly to the Williams Company and to Transco at

[HTTP://WWW.TWC.COM](http://www.twc.com).

Councilmember Wright said he agreed that the issue was very difficult and had everyone concerned. Regarding Transco's \$500 contribution and sponsorship of March for Parks, Mr. Wright said that if Transco was willing to plant trees in other areas, he was not sure that the City should forego the opportunity to have some of the replacement trees planted in Rockville. If the City refused, Transco could potentially plant the trees elsewhere and feel, in good conscience, that they mitigated some of the damage they've caused. Mr. Wright said that he was not sure that Transco's sponsorship of Arbor Day was the correct way to handle this; however, he felt that the City should not turn down Transco's offer to replant trees in the City.

Mayor Krasnow agreed that the issue had been difficult for everyone. The Mayor and Council did everything residents asked--they questioned the clear cut operation; they questioned the environmental effects and the effects on the City's aesthetics. When she first heard about the clear cut plans, Mayor Krasnow said that she wanted to organize communities from New York to Texas to try and stop Transco because nothing that Transco said has convinced the Mayor and Council that it was necessary to perform the clear-cut. However, she said that Transco had the legal right to perform the clear cut and

therefore there was a limit to what the Mayor and Council could do other than to protest the action and to try and negotiate as much reimbursement as they could for affected homeowners and parks. Mayor Krasnow said that the Mayor and Council were not involved in the decision to accept Transco's contribution money for the March for Parks event, and she wondered whether residents would have been as upset if the contribution had been much larger since \$500 seemed to be an unimpressive amount to be considered as a tree sponsor. Mayor Krasnow said that she thought the City's feeling was that the clear cut operation was going to unfortunately happen, and if Transco wanted to try to make up for the clear cut, we should let them. Mayor Krasnow said that the Mayor and Council wished they could do more for the residents affected; however, while they could not, they appreciated the concerns of the residents. The Mayor also pointed out that each year the City was named a "Tree City" by the National Arbor Day Foundation, and the City funded a great deal of money to purchase the Climax Forrest to preserve it for Rockville's future. She said the Mayor and Council hoped to adopt additional laws to further protect trees. (Clerk's Note: See discussions under "New Business" on page 23 of these Minutes)

3. Barry Klein said that he and his wife were avid recreational bikers who tried to take advantage of the streets and trails in the Rockville area. The City was working with many others with hopes of developing a new Bikeway Master Plan. Mr. Klein, a member of the Bikeway Study Committee, said that the committee's plans were to

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develop a plan, working in conjunction with Montgomery County and with Metro (to encourage commuters to bike to the Metro and use mass transit to get to work. The Committee plans to hold a charette (working group meeting) on April 29 at the Rockville Senior Center. Brochures also were also available which contain a questionnaire and a survey to help the Committee address the future in bicycling.

4. Richard Resnick pointed out that eligibility requirements for the City's Young Writer's Contest listed a requirement that the context was for students in Grades 6 through 12 and who attend school within the City's corporate limits. Mr. Resnick said that this requirement eliminated 6th through 10th grade students who live in the North Farm and the Congressional areas, as well as those students who lived in Rockville but attended private schools outside of the City. Mr. Resnick said that staff needed to be aware that there were many students who resided within the City of Rockville, but did not attend schools within the City's corporate limits. Mayor Krasnow asked that staff correct the oversight.

Mr. Resnick noted that a team of seven students from Richard Montgomery High School who recently participated in the "Odyssey of the Mind" competition, won the State championship for the high school division in the category they competed in and were eligible to go on to the World Competition in Ames, Iowa. Mr. Resnick said that he hoped that the City could assist the team with financial help and/or a contribution of pins or other City memorabilia to trade with other teams.

5. Senator Jennie Forehand regarding the Transco clear cut issue, said that she contacted the Public Service Commission for the State which, she soon learned, clearly had no jurisdiction over the matter. She then went to the U.S. Department of Transportation, the Deputy Undersecretary of this department in charge of pipeline safety, was Ana Sol Gutierrez, Chair of the Montgomery County School Board. Ms. Gutierrez was able to have representatives of the Pipeline Safety Office attend a meeting. Senator Forehand said it appeared that the Office of Pipeline Safety does not require Transco to clear all 80 feet of the right-of-the-way and 10 or 20 feet would have been sufficient. Senator Forehand said she also spoke to the President of the Washington Gas Light Company and asked him if he would contact Transco's President; however, he was also not successful in that effort.

6. William Kominers Attorney for Wilkes, Artis and Lane spoke on behalf of Manor Health Care, the applicant for Text Amendment TXT96-0155. Mr. Kominers said that the proposed new use for adult day care centers would address a need that existed in the City today and would be an even greater need in the future. A City task force report suggested that the composition of the City was changing with age and housing patterns of seniors being the fastest growing part of the population. Mr. Kominers said the text amendment would address the care of those individuals. The City currently had a provision for dealing with housing for the elderly in residential situations and a day care provision for children; however, not everyone needing care and attention was elderly or a

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child, and the adult day care use would address the gap. He asked that the Mayor and Council accept the Text Amendment and refer it to the Planning Commission for discussion.

7. William Meyer, 804 Leverton Road asked if the City expected to receive a reimbursement from FEMA for the money spent on the 1996 winter storm. Mr. Kuckkahn responded that with the appointment of Steve Brayman to serve as the City's designated agent, the City was one step closer and optimistic that it would receive approximately \$55,000 in funding.

Regarding Consent Agenda Item B, Mr. Meyer inquired if the engineering service award would be for the total benefit of the King Farm because he said there would be no necessity to increase the Watts Branch outflow without further development of the King Farm. Mayor Krasnow clarified that the RFP award was for a study to be funded by the City that would review alternative ways the City could add additional sewage capacity with the least possible environmental impacts. Mr. Meyer said he thought the annexation agreement stipulated that any costs associated with increasing sewage capacity would be paid for entirely by the developers. Mr. Kuckkahn said that staff could look at this as an option; however, it was the understanding of the parties that the study would not be part of the costs. The City could talk to the developer to see if there was room to move in that direction.

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Re: Appointment

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Linda Aksamit was appointed to serve on the Board of Supervisors of Elections.

Re: Consent Agenda

Councilmember Harrison requested removal of Consent Items C and I; Councilmember Marrinan requested removal of Consent Item G. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the following Consent Items were approved:

- (A) Award FCWA Bid 96-1 a requirements contract for Water Treatment Chemicals for \$60,579.82 through the Council of Governments lead jurisdiction, Fairfax County Water Authority. Contract will be awarded to:

Chloramone Corp, Emmaus, PA for Chloride, in the amount of \$9,171.36; Greer Lime Co., Morgantown, WV for Bulk Hydrated Lime in the amount of \$6,192.48; General Chemical, Pittsburgh, PA for Bulk Liquid Alum in the amount of \$22,702.78; LCI, Jacksonville Beach, FL for Bulk Hydrofluorsilic Acid in the amount of \$3,525.00; Shannon Chemical, McLean, PA for Zinc Orthophosphate in the amount of \$18,018.00; and Prillman Chemical, Suffolk, VA for Potassium Permanganate in the amount of \$970.20.



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- (B) Award of RFP #65-96  
To: Dewberry and Davis  
Of: Gaithersburg, MD  
In the amount of: \$49,380

For: Engineering services for an alternative analysis of the Watts Branch Sewer Outfall.

- (D) Introduction of Ordinance to grant Application to Close and Abandon Public Way SCA95-0072.  
Congressional North Associates, Applicants.

To close and abandon a portion of a service drive along Rockville Pike on the Congressional North frontage.

- (E) Introduction of Ordinance to Grant Text Amendment Application TXT96-0152, as amended, GFS Realty, Inc., Applicant.

To amend the Zoning Ordinance to add uses to the C-1, Local Commercial Zone.

- (F) Introduction of Ordinance to Grant Street Closing and Abandonment Application SCA95-0071, as expanded, Catherine and Robert Gale, Applicants.

To close and abandon a portion of an unimproved alley on S. Van Buren Street near W. Argyle Street.

- (H) Adoption of Resolution approving Stephen Brayman as the City's designated agent for FEMA reimbursement process.

Re: (C) Acceptance of Text Amendment Application TXT96-0155, Manor Healthcare Corp., Applicant.

To amend the Zoning Ordinance to add a new use titled "Adult Day Care Center," to permit the use in all nonresidential zones, and to add a parking standard for the use.

Councilmember Harrison agreed that the proposed use for adult day care centers will become an increasingly needed use in the City. The material provided by staff did not indicate that a neighborhood impact analysis was done for the centers located in the C-1 zone. He questioned whether an adult day care center in the C-1 zone would be appropriate and said an impact analysis was needed for the Mayor and Council's and the Planning Commission's information. Mayor Krasnow agreed and said that the term "nonresidential zones" may give the impression that the use would not affect residences; however, with the C-1 zone being in the midst of many residential neighborhoods, it would affect those neighborhoods. Mayor Krasnow suggested that the concern be passed on to the Planning Commission and that staff notify neighborhood associations.

Councilmember Wright requested that staff also provide additional background about what other jurisdictions stipulated for parking requirements on the

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proposed use. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Text Amendment was accepted.

Re: (G) Adoption of Resolution to approve a request for a waiver of the requirements of Chapter 21 of the Rockville City Code to allow a right-of-way width on Baltimore Road narrower than that normally required for primary residential streets.

Councilmember Marrinan questioned whether Beth Tikva Synagogue, located across the street from the development was notified regarding the waiver to allow Baltimore Road to operate at a 60-foot wide level. Mr. Marrinan said that the road was well traveled and he was concerned about the safety aspect of allowing a road narrower than normally required. Traffic Engineer Joe Cutro responded that the Synagogue had not been contacted. However, he noted that in the Residential Townhouse Development (RTH) application, the waiver was a parcel condition of the RTH application, and that he believed the Synagogue knew about the condition. Councilmember Marrinan suggested that the approval of the waiver request be tabled until Beth Tikva Synagogue could be notified. Councilmember Dorsey said that the map provided by staff showed that the Temple was outside of the City's corporate limit, and he asked that the Mayor and Council be provided with information regarding the County's designation of the 60-foot wide right-of-way. Councilmember Wright asked for an enlargement of the map that would indicate where the road was located as well as the location of the right-of-way.

Mayor Krasnow said that in looking at the Townhouse Overlay in terms of the entire safety issue of the street, additional background information should be provided about whether the road code waiver would impact the City's ability to deal with safety concerns. Without objection, the road code waiver was tabled.

Re: (I) Approval of land lease with Bell Atlantic Nynex for use of Redgate Golf Course for a monopole.

Councilmember Harrison said that during each of the 5-year lease periods, a rent escalation clause provided for a 3 percent rental rate increase. However, once the lease went to a year-to-year basis, there was no longer a provision for rent increases and it appeared all one could do was to terminate the contract or accept it on a year-by-year basis with no increase in rent. City Attorney Glasgow explained that the idea behind the terms was that at the end of twenty years, a modification of the lease agreement would take place and Bell Atlantic/Nynex would be given a 6-months' notice if the lessee wanted to continue the rental at the same rate. If Bell Atlantic/Nynex did not agree to those terms, the City would have an automatic right to terminate the agreement if it did not get a rental rate satisfactory to the City. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the land lease with Bell Atlantic Nynex for use of Redgate Golf Course was approved.

Re: Approval of Comments - Montgomery County's Capital Improvement Program (CIP) for

FY 1997-2002 for submission to the Montgomery County Council.

Mayor Krasnow said that at the April 8 General Session, the Mayor and Council first reviewed and made recommendations which were incorporated into a second draft letter to County Executive Duncan. The Mayor and Council requested that the following additional comments be incorporated into the final letter:

- Regarding the Detention Center Renovation project, staff should include modified language to emphasize that the renovations were temporary, emergency type of repairs which were absolutely essential and that the County had to maintain the existing facility for the five years and they could not allow the facility to be in a state of disrepair during that the five year period.
- With respect to the Montrose Parkway project, the Mayor and Council feel strongly that the project will have significant potential adverse impact on the City. They requested that the project be analyzed and that the analysis include a study of impacts on Rockville streets. In addition, the Mayor and Council would like an environmental impact analysis undertaken prior to the County taking action on the project.
- Staff should delete the phrase in the letter "if it is demonstrated that traffic congestion will not be reduced."

- A colon is needed at the end of the first line in the second to last paragraph.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Mayor and Council approved the Comments on the Montgomery County's Capital Improvement Program (CIP) for FY 1997-2002.

Re: Discussion and Instructions to Staff - Proposed amendment to the "Definitions (Sec. 25-1)" and "Heights (Sec. 25-18)" section of the Zoning Ordinance to allow monopoles to exceed the height limit in the zones in which they are located.

Without objection, staff was instructed to file on the Mayor and Council's behalf, a Text Amendment Application to amend the "Definitions (Sec. 25-1)" and "Heights (Sec. 25-18)" section of the Zoning Ordinance to allow monopoles to exceed the height limit in the zones in which they are located.

Re: Correspondence

Councilmember Wright said that over 100 persons participated in the April 21st "March For Parks" celebration, and he noted that there were two groups who took part in the event: Brownie Troop Unit #94 from College Gardens, and a group of children organized from the Lincoln Park neighborhood. Mr. Wright said he hoped to see other youth groups participating in future March for Parks.

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Re: New Business

Mayor Krasnow said that while attending the Rockville Baseball Association opening ceremony, she noted the proximity of the Villages at Tower Oaks development to the parks. She expressed an interest in establishing a provision in the City Code that would establish a buffer (at least 100-150 feet) between the City's active parks and any type of construction. Mayor Krasnow also said that while undergoing negotiations about the King Farm, it became clear that the City needed to strengthen its law regarding stream buffers in order to protect the City's streams. Mayor Krasnow asked that staff investigate the possibility of the Mayor and Council introducing the appropriate text amendments.

Re: Next Meeting

The Mayor and Council will meet in Worksession on Tuesday, April 23, 1996 to meet with the Senior Citizens Commission, Rockville Seniors, Inc. and the Cultural Arts Commission.

Re: Adjourn to Executive Session

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed with Mayor Krasnow and Councilmembers Dorsey, Harrison, Marrinan and Wright voting "aye," the Mayor and Council adjourned to Executive Session, at 9:17 p.m., pursuant to Section 10-508(a)(7) of the State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice.